
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

versus

CLARENCE F. BARTHOLD

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NO. 9:14-CR-00020-MAC

**ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

The court referred a petition alleging violations of supervised release conditions to the Honorable John D. Love, United States Magistrate Judge, at Tyler, Texas, for consideration pursuant to applicable laws and orders of this court. The court has received and considered the Report of the United States Magistrate Judge filed pursuant to such order, along with the record, pleadings, and all available evidence.

As detailed in Judge Love's report, Defendant plead true to violating the conditions of supervision as alleged in the first allegation of the government's petition. Judge Love recommended:

1. finding the Defendant violated the first allegation in the petition by possessing various media in the form of movies that depict sexually explicit conduct as defined in 18 U.S.C. § 2256(2);
2. revoking the Defendant's supervised release pursuant to 18 U.S.C. § 3583;
3. sentencing the Defendant to a term of 9 months imprisonment with 8 years supervised release to follow; and
4. modifying the conditions of supervised release to include the following new conditions:
 - a. You must not possess or view any material in any form of media or in any live venue that depicts sexually explicit conduct as defined in 18 U.S.C. § 2256(2). This includes visual, auditory, telephonic, electronic media, email, chat

communications, instant messaging, or computer programs. You must not patronize any place where such material or entertainment is available. You must not use any sex-related telephone numbers. You must provide the probation officer with access to any requested financial information to determine if you have purchased, viewed, or possessed sexually explicit material.

- b. You must not purchase, rent, access, or utilize any storage unit or facility without advanced approval from the probation officer. If approved, you must provide verification of the rental agreement and location of the facility to the probation officer within 72 hours of accessing the facility. You must allow the probation officer to conduct periodic unannounced onsite inspections at any storage location to which you have access. You must also provide verification of any post office box you rent or access to the probation officer within 72 hours of access or rental agreement.
- c. You must reside in a residential reentry center or similar facility, in a prerelease component for a period of up to 180 days, to commence upon release from confinement and shall observe the rules of that facility. While at the facility, you must pay subsistence according to BOP guidelines. Should you obtain a residence approved by the probation officer during the 180-day placement, you may be released.
- d. You must provide the probation officer with access to any requested financial information for the purpose of verifying employment.

At the close of the revocation hearing, the Defendant, defense counsel, and counsel for the Government each signed a standard form waiving their right to object to the proposed findings and recommendations contained in the magistrate judge's report. The Defendant also waived his right to be present with counsel and to speak at sentencing before the court imposes the recommended sentence.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. It is therefore

ORDERED and **ADJUDGED** that the petition is **GRANTED** and Clarence Barthold's supervised release is **REVOKED**.

Judgment and commitment will be entered separately, in accordance with the magistrate judge's recommendations.

SIGNED at Beaumont, Texas, this 6th day of August, 2025.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE